IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.594 OF 2007

In the matter of Section 439 of the Companies Act, 1956;

And

In the matter of winding up of the RGK Controls & Components Pvt. Ltd.

Smt.Sunita Damodarlal Bajaj
Proprietress of M/s.Radiant
Electricals .. Petitioner

Mr.Vinod Sharma for petitioner.

Ms.Rita Joshi i/b.A.D.Shetty for respondents.

CORAM : A.M.KHANWILKAR, J.
DATE : 27th November, 2007.

P.C.:

1. Heard Counsel for parties.

2. As the respondents have renewed their offer to pay sum of Rs.1,93,837/-, which amount was offered by the Bank Draft dated 23rd August, 2007 to the petitioner, which according to the respondent is the amount due and payable to the petitioner; the petitioner's Counsel states that the petitioner will accept that amount without prejudice to the rights and contentions of the petitioner and to

pursue such other remedy against the respondent for recovery of the disputed outstanding amount, which proceedings be decided on its own merits and in accordance with law.

3. In the circumstances, in view of the assurance given by the respondent through Counsel that within one week from today, Banker’s cheque in favour of the petitioner will be offered to the petitioner in the sum of Rs.1,93,837/-. Petition is disposed off with liberty to the petitioner to pursue such other remedy as may be permissible by Law against the respondent for recovery of the disputed outstanding amount. All questions in that proceedings be decided on its own merits and in accordance with Law.

(A.M.KHANWILKAR, J.)